

Meeting Minutes

Zoning Board of Adjustment

Tuesday, July 22, 2014
Ankeny City Hall – City Council Chambers
410 W. First Street, Ankeny, Iowa

CALL TO ORDER

The July 22, 2014 regular meeting of the Zoning Board of Adjustment was called to order at 5:00 pm by Chairman M.Ott. Members present: C.Dissell, B.Friest, M.Ott, N.Sungren, K.Tomlinson. Staff present: E.Bodeker, E.Carstens, J.Gould, E.Jensen, T.Kuhn.

AMENDMENTS TO THE AGENDA

There were no amendments.

MINUTES OF THE JULY 8, 2014 MEETING

Motion by C.Dissell to approve the meeting minutes as submitted. Second by B.Friest. Motion carried 5 - 0.

COMMUNICATIONS / CORRESPONDENCE

There were no communications

BUSINESS ITEMS

#14-27

Natalie & Aaron Gendle

121 SW Logan Street

Lot 7 & South 20 Feet of Lot 8 BLK A HAULMANS ADDITION

RE: Fence DRA Properties

Chairman M.Ott opened the public hearings.

Natalie Gendle, 121 SW Logan Street, Ankeny stated that she would like the Board to allow a 48-inch fence on her corner lot, which is 6-inches taller than the allowable height for a picket fence.

Staff Report: J.Gould presented an aerial map identifying the location of the property at 121 SW Logan Street, one-half block west of S Ankeny Blvd., and a block south of W 1st Street. The property is zoned R-2 as are the neighboring property with the exception of the properties along S Ankeny Blvd., zoned C-2. She explained that the applicant is requesting a fence height variance to Section 191.14(2) which only allows a 42-inch fence, other than chain link in the front yard setback, adding that on a corner lot the 30 foot front yard setback applies to each street side.

The applicant's site plan shows that the fence would be along SW 2nd Street from near the back of the house east to the driveway and up to the garage to enclose the back yard. On staff's review of the site plan and comparisons to Polk County's aerial maps, it was noted that the dimensions did not appear to match; the site plan drawing indicated 6-feet from the sidewalk edge to the proposed fence location while measurements from the aerial indicated a distance of 18-feet from back of curb-to the property line, a distance of 8-feet from the sidewalk edge to the proposed fence location. Staff's position is to allow the 48 fence since it is only the back portion of the rear yard, to be built at the property line subject to the determination of the actual location of the property line.

M.Ott asked if staff is asking for the property line to be located by a licensed surveyor. J.Gould suggested that property pins may be located by the homeowner. K.Tomlinson asked if the location could be approved as a certain distance from the street or sidewalk to eliminate the additional cost of a surveyor to the applicant. E.Jensen advised the Board that a specified

distance from the sidewalk or street may or may not put the fence outside of the right-of-way, adding that it is always the responsibility of the property owner to verify the location of the property lines and that may require hiring a surveyor.

K.Tomlinson asked if the fence at SW 3rd Street and SW Logan Street was allowed by a variance. J.Gould responded that she did not research that property.

C.Dissell asked for verification that a 48-inch fence would be allowed if it were set back 30 feet from the property line, but because it is within the 30 feet, the requirement is 42-inches. J.Gould concurred adding that if the fence is not chain link, 42-inch fence is the highest allowed at the property line.

Ms Gendle asked for a description of exactly what the property pins are and how they're located. Mr Ott described the pins as generally being metal and typically can be found with a metal detector or pin finder. E.Jensen added that in older neighborhoods, they may be difficult to locate and a surveyor would need to be hired. Staff offered to provide plat maps and aerials to assist the applicant in locating the property lines.

Motion by K.Tomlinson to close the public hearing and receive and file documents. Second by C.Dissell. All voted aye. Motion carried 5 – 0.

K.Tomlinson said she has no problem granting this variance adding that a vinyl picket fence will look better than chain link. B.Friest commented that the fence is justified and will fit in nicely in this older neighborhood.

Board Action on Filing #14-27 for property at 121 SW Logan Street

Motion by N.Sungren that the Board of Adjustment grant a fence variance based on Section 191.14(2) of the Ankeny Zoning Code to allow a 48-inch vinyl picket fence to be located on or behind the property line behind the existing trees at 121 SW Logan Street. The requested variance is to allow the construction of a 48-inch vinyl picket fence on or behind the property line shown on the applicant's site plan, subject to the location of the property line being determined by the property pins or by a licensed surveyor. This is based upon a determination the proposed fence is on a corner lot and is not located in the required visibility triangle, that the fence will be screened by three existing mature trees, that the variance would not adversely affect the neighborhood and that it is found to be in harmony with the intended spirit and purpose of the Ankeny Zoning Code. Second by M.Ott. Motion carried 5 – 0.

REPORTS

There were no reports.

There being no further business, the meeting adjourned at 5:15 pm.

Submitted by, Trish Kuhn,

Recording Secretary,
Zoning Board of Adjustment